

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA,
NORTHERN DIVISION

MAKITA TOWNSEND, Individually, and
as mother and next best friend of
ADRIAN JUDKINS, JR. And mother and
next best friend of KENTARIUS
TOWNSEND; and VALENCIA
RODGERS as legal guardian of
KAVOSEYAE RODGERS; and
ANESSA JUDKINS as mother and next
best friend of ALONZO JONES,

Plaintiffs,

v.

PTL Paschall Truck Lines Inc. et al.,

Defendants.

Case No.: 2.06cv263-CSC
Removed from Circuit Court of
Montgomery County
CV-2006-515

**PETITION FOR APPROVAL OF PRO TANTO/PRO AMI SETTLEMENT and
APPOINTMENT OF GUARDIAN AD LITEM**

Comes now the plaintiffs, Adrian Judkins, Jr., a minor, by and through his next friend and mother, Makita Townsend, respectively, and the defendant, designated as PTL Paschall Truck Lines, Inc., and move this Court to approve a consent settlement in this cause. In furtherance of this petition, plaintiffs request that this Honorable Court set this matter for hearing and appoint a Guardian ad Litem to represent the interests of Adrian Judkins, Jr. In support hereof, plaintiff states the following:

1. Adrian Judkins, Jr., a minor, through his respective mother and next friend, Makita Townsend, are the proper persons to bring this action.
2. On March 25, 2005, the minor plaintiff was riding in his mother's vehicle

when a tractor-trailer truck collided with the vehicle.

3. Specifically, as a proximate result of the accident, the plaintiff, Adrian Judkins, Jr., suffered a broken leg, bruises and other injuries associated with the wreck.

4. The parties have agreed that a consent settlement of this cause is in the best interest of the minor plaintiff.

Wherefore, Plaintiffs respectfully move this Court to set this matter for hearing, appoint a Guardian ad Litem, and enter a Final Order approving the proposed pro ami settlement.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "M. Todd Wheelles", written over a horizontal line.

M. Todd Wheelles
Attorney for Plaintiffs

Of Counsel:

Morris, Haynes & Hornsby
3500 Colonnade Parkway, Suite 100
Birmingham, AL 35243

Respectfully Submitted,

Lea Richmond
Attorney for Defendant PTL Paschall Truck Lines

Of Counsel:

CARR ALLISON
100 Vestavia Pkwy Ste 200
Birmingham, AL 35216

ORDER

The above pro ami settlement will be heard before the undersigned on the _____ day of _____, 2006, at _____.

The Honorable _____ has been appointed as Guardian ad Litem to Adrian Judkins, Jr., a minor.

Federal Judge

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document has been served upon:

Lea Richmond
CARR ALLISON
100 Vestavia Pkwy Ste 200
Birmingham, AL 35216

DONE this the 27th day of July, 2006.

M Todd Weeks
OF COUNSEL